



General Assembly

January Session, 2001

**Committee Bill No. 5415**

LCO No. 3199

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

**AN ACT PRESERVING POLICE OFFICER SURVIVORS' BENEFITS  
FOLLOWING REMARRIAGE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 5-146 of the general statutes is  
2 repealed and the following is substituted in lieu thereof:

3 (a) If any member of the Division of State Police within the  
4 Department of Public Safety in employment on June 21, 1961, who has  
5 elected survivors' benefits, or any state police officer who commenced  
6 employment subsequent to June 21, 1961, and who in either event was  
7 not subject to the federal Insurance Contributions Act for such  
8 employment, dies from any cause before retirement from state service,  
9 leaving a surviving spouse or dependent unmarried children under  
10 the age of eighteen years, there shall be paid survivors' allowances  
11 from the State Employees Retirement Fund on and after July 1, 1982,  
12 on the following basis: (1) To the surviving spouse, a monthly  
13 allowance of five hundred fifty dollars commencing immediately upon  
14 the death of such member of the Division of State Police within the  
15 Department of Public Safety payable for the surviving spouse's  
16 lifetime; [or until subsequent remarriage;] (2) if there are less than

17 three surviving dependent children, a monthly allowance of two  
18 hundred fifty dollars per child payable to the surviving spouse or  
19 other guardian until each child reaches the age of eighteen or until the  
20 child's marriage if such occurs earlier; (3) if there are three or more  
21 surviving dependent children, a monthly allowance of five hundred  
22 seventy-five dollars to be divided equally among all the dependent  
23 children; as each such dependent child reaches the age of eighteen  
24 years, or marries, if such occurs earlier, that child's share shall be  
25 deemed divided equally among the remaining surviving children,  
26 provided each child's share shall not exceed two hundred fifty dollars;  
27 when the shares of all but one of such surviving children have ceased,  
28 the pension to the remaining surviving child shall be two hundred fifty  
29 dollars.

30 Sec. 2. Section 7-323e of the general statutes is repealed and the  
31 following is substituted in lieu thereof:

32 (a) When any full-time paid [policeman] police officer or [fireman]  
33 firefighter who was covered by the provisions of this part dies, either  
34 before or after retirement, the surviving spouse of such [policeman]  
35 police officer or [fireman] firefighter shall, until the death [or  
36 remarriage] of such spouse, receive out of the fund a monthly sum  
37 equal to twenty-five per cent of the compensation of such [policeman]  
38 police officer or [fireman] firefighter.

39 (b) During any period in which such spouse has one dependent  
40 child under eighteen years of age, provided such child was dependent  
41 on such [policeman] police officer or [fireman] firefighter at the time of  
42 death, such spouse shall receive from the fund an additional monthly  
43 sum equal to twelve and one-half per cent of the compensation of such  
44 [policeman] police officer or [fireman] firefighter.

45 (c) During any period in which such spouse has two or more  
46 dependent children under eighteen years of age, provided such  
47 children were dependent on such [policeman] police officer or  
48 [fireman] firefighter at the time of [his or her] death, such spouse shall

49 receive from the fund an additional monthly sum equal to twenty-five  
50 per cent of the compensation of such [policeman] police officer or  
51 [fireman] firefighter.

52 (d) If no spouse survives such [policeman] police officer or [fireman]  
53 firefighter who, at death, has one or more dependent children under  
54 eighteen years of age, or upon the death or remarriage of the spouse  
55 while receiving monthly payments with respect to one or more  
56 dependent children [as hereinbefore described] under eighteen years  
57 of age, the Retirement Commission shall cause to be paid to the legal  
58 guardian of such dependent child or children under eighteen years of  
59 age, or [in its discretion] to the spouse if such spouse remarries, for the  
60 sole use and benefit of such child or children a monthly sum equal to  
61 twenty-five per cent of compensation in the case of one such child and  
62 thirty-seven and one-half per cent of compensation in the case of two  
63 or more children. In any case where payments under this section are  
64 being made with respect to one or two such children, as each such  
65 child reaches eighteen years of age payment as to such child shall  
66 cease.

67 (e) If no spouse or no dependent child or children under eighteen  
68 years of age survive such [policeman] police officer or [fireman]  
69 firefighter, and such [policeman] police officer or [fireman] firefighter  
70 is survived by a dependent father or mother, they shall receive, in a  
71 manner determined by the Retirement Commission, a monthly sum  
72 from the fund equal to that [herein] provided by this section to be  
73 received by a spouse without dependent children, provided, no child  
74 or children shall be entitled to receive double benefits by reason of the  
75 death of both parents and such child or children shall receive the  
76 highest benefit payable by reason of the death of either parent.

77 (f) If no spouse or no dependent child or children under eighteen  
78 years of age and no dependent father or mother survive such  
79 [policeman] police officer or [fireman] firefighter, and such  
80 [policeman] police officer or [fireman] firefighter is survived by a

81 beneficiary designated by such [policeman] police officer or [fireman]  
82 firefighter prior to death on a form prescribed by the Retirement  
83 Commission, such beneficiary shall receive an amount equal to the  
84 deceased's contributions under section 7-323c without interest.

85 (g) If no named beneficiaries survive such [policeman] police officer  
86 or [fireman] firefighter the [aforesaid] contributions payable under this  
87 section, without interest, shall be paid to the executor or administrator  
88 of such deceased [policeman] police officer or [fireman] firefighter, or,  
89 at the option of the Retirement Commission, in accordance with the  
90 terms of section 45a-273.

**Statement of Purpose:**

To eliminate any reduction of benefits to surviving spouses of police officers who remarry.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. STONE, 134th Dist.; REP. GREENE, 105th Dist.  
REP. PISCOPO, 76th Dist.; REP. COLLINS, 117th Dist.  
REP. CARON, 44th Dist.; REP. KLARIDES, 114th Dist.  
REP. FERRARI, 62nd Dist.